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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,568	12/21/2001	Man Ho Na	K-0371	3651

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EXAMINER

LANDAU, MATTHEW C

ART UNIT	PAPER NUMBER
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2815

DATE MAILED: 08/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,568

Applicant(s)

NA ET AL.

Examiner

Matthew Landau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 03 June 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on June 3, 2003 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the second fly eye lens refracting the beams from the first fly eye lens into parallel beams must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 11, and 13-16 are objected to because of the following informalities:

In regards to claim 11, the limitation “on various points different from one another by a region” is objected to. It is suggested Applicant consider revising this claim language. A suitable alternative may be “on various points [different] spaced apart from one another [by a region].

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In regards to claims 13-15, the limitation “central point” should be replaced with “central points”.

In regards to claim 16, the limitation “beams of lights” should be replaced with “beams of light[s]”.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 11-16, the limitation “with a center point shifted” renders the claim indefinite. By definition, a center point of a lens cell is located in the center of the cell. If a point is moved away from the center of the cell, it can no longer be called a center point. Therefore, it is unclear what Applicant intends to claim with the limitation “with a center point shifted”. Note that claims 12-16 have similar problems. Also, it cannot be determined from where the points are shifted and where the points are shifted to. Note claims 12-15 have similar problems.

Further regarding claim 11, the limitation beginning “in order to render a central part...” renders the claim indefinite. It is unclear what is meant by “a central part of a length of the arc

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lamp correspond to the center points”. If Applicant intends to claim that light emitted from a central part of a length of the arc lamp corresponds to the center points of the lens cells, it is further unclear how light emitted from the central part can correspond to the center points of all the lens cells.

Further regarding claim 16, there is insufficient antecedent basis in the claim for the limitation “the center axis of the second lens cell”. It is suggested the limitation be replaced with “a [the] center axis”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 11-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Iechika et al. (US Pat. 6,273,569, hereinafter Iechika).

In regards to claim 11, as best the examiner can ascertain the claimed invention, Figures 1 and 2(A) of Iechika disclose an illumination system comprising: a light source including an arc lamp 22 (metal halide lamp) emitting beams of light by arc light emission and a parabolic reflector 24 for making total reflection of the beams from the arc lamp to direct the beams in one direction; a first fly eye lens 40 including a plurality of lens cells which are for imaging the light

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beams incident from the light source on various points different from one another by a region, wherein the first fly eye lens having a plurality of lens cells (cells of each 1st column in Figure 2(A)) each with a center point shifted in order to render a central part of a length of the arc lamp corresponds to the center points of the plurality of lens cells, respectively; and a second fly eye lens 50 refracting the beams from the first fly eye lens into parallel beams.

In regards to claim 12, as best the examiner can ascertain the claimed invention, Figure 2(A) of Iechika discloses the lens cells (1st columns) of the first fly eye lens 40 having the center point thereof arranged to be shifted towards a central axis 40y of the first fly eye lens.

In regards to claims 13, 14, and 15, as best the examiner can ascertain the claimed invention, Figure 2(A) of Iechika discloses the first fly eye lens 40 is formed in such a manner that the center points of the all the lens cells are shifted. Therefore the cells arranged in a width direction, a height direction, and a radial direction are shifted.

In regards to claim 16, as best the examiner can ascertain the claimed invention, Figures 1 and 2(A) disclose a first fly eye lens having first lens cells (1st columns) each with a first center point, and second lens cells (2nd column) each with a center point disposed in the first fly eye lens, for receiving beams of light from a light source in correspondence to the first center points of the first lens cells and the second center points of the second lens cells, respectively; and a second fly eye lens 50 having a plurality of lens cells for refracting the beams received from the first fly eye lens into parallel beams; wherein the first center point of said each first lens cells is located at a point a distance away from a center axis (y-axis) of the first lens cell, and wherein the second center point of said each second lens cell is co-located at a center axis (x-axis of the second lens cell).

Response to Arguments

Applicant's arguments with respect to claims 11-16 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Landau whose telephone number is (703) 305-4396.

The examiner can normally be reached from 8:30 AM - 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on

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(703) 308-1690. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Matthew C. Landau

Examiner

August 8, 2003



SHEILA V. CLARK
PRIMARY EXAMINER